

REMARKS

Claims 1-17 are pending. Claims 1-17 have been rejected.

Claims 1-17 were rejected under 35 USC § 103(a) as being unpatentable over Goldszmidt et al. in view of Takada et al. (US Patent No. 6,633,96).

Goldszmidt is based upon a user listening or otherwise experiencing streamed media from a media source. Even if a switch does occur, based either upon a server failure or a client detection of a problem, the content from the different media sources is the same. The purpose of Goldszmidt is to avoid the user experiencing any kind of interruption in the media stream. There is only one 'content stream' in that the multiple streams all contain the same content to fill in any gaps due to problems. See Goldszmidt, col. 5, lines 12-21 and col. 9, lines 7-22. There is not buffering in Goldszmidt, nor are their sources having different content involved.

Takada is directed to insertion of messages into a transmission medium. The messages are not transmitted across the network from different audio sources and then selected for buffering. This device is apparently used for transmitting control messages across an ATM network, and the messages are internally generated. See Figure 5, and col. 12, lines 46-54. The buffers are not buffering audio streams from different sources, but messages that are generated internally.

The combination of references does not teach, show nor suggest separately buffering multiple audio streams, each stream being transmitted across the network, and each stream having different content.

Further, neither Takada nor Goldszmidt base the buffering on user inputs. In the discussion of claim 6, the office action refers to col. 7, lines 1-15 of Takada. However, there is no user input. In several places in Takada, the buffering being based upon a write order and that all of the buffered messages have the same priority are mentioned. See Takada col. 7, line 4-10, col. 12, lines 47-53, as examples.

It is therefore submitted that claim 1 is patentably distinguishable over the prior art and allowance of this claim is requested.

Dependent claims 2-6 inherently contain the features recited in claim 1. Consequently, the combination of references also fails to teach, show or suggest all the features recited in claims 2-6 and do not render these claims obvious.

Claims 7 and 15 have been amended to more clearly show that the audio streams contain different content, come from multiple sources and are buffered based upon user input.

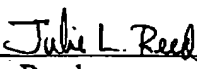
None of these recitations are shown, taught nor suggested by the combination of references for the reasons as applied to claim 1. It is therefore submitted that claims 7 and 15 are patentably distinguishable over the prior art and allowance of these claims is requested.

Claims 8-14 depend from claim 7, and claims 16-17 depend from claim 15. These claims inherently contain the features recited in claims 7 and 15, respectively. Consequently, the combination of references also fails to teach, show or suggest all the features recited in claims 8-14 and 16-17 and does not render these claims obvious.

The prior art made of record and not relied upon has been reviewed and is not considered pertinent to Applicant's disclosure. No new matter has been added by this amendment. Allowance of all claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,
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